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SENATE BILL 2526 By
Herron

HOUSE BILL 2699
By Chumney

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 1, Part 1, relative to day care services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 1, Part 1, is amended by adding the following as a new section:

(-)(a) Contracts and grants for child care broker services shall be awarded for two separate categories, as follows:

(1) Provider related services, which shall include:

(A) counseling of parents or caretakers on choice of provider or type of caregiver;

(B) enrollment or evaluation of providers, including issuance of provider certificates;

(C) making referrals to child care; or

(D) similar functions relating to caretaker referrals or choice of providers; and

(2) Caretaker participant services which includes services related to determining caretaker participant eligibility, monitoring child attendance and related activities.

(b)(1) A person or entity, including the staff, corporate officers and board member of such entity who does not have any interest in a child care facility as defined herein may be awarded contracts or grants to perform either or both provider related services and caretaker participant services.

(2) Any person or entity, including the staff, corporate officers and board members of an entity, that has an interest in a child care facility may be awarded a grant or contract to perform child care broker services related to caretaker participant services.

(3) No person or entity, including the staff, corporate officers and board members of such entity, may be awarded a contract or grant to perform provider related services, as defined herein, if such person or entity, or its staff, corporate officers or board members, has any interest in a child care facility.

(c)(1) "child care facility", for purposes of this section, includes a day care center, family day care center or group day care home under § 71-1-130, and a child care center under § 71-3-501.

(2) "Interest in a child care facility", for purposes of the section, includes, but is not limited to:

(1) ownership, management or operational responsibility for a child care facility;

(2) any contract, agreement or lease for property in which a child care facility is located;

(3) any contract or agreement to provide goods, services, staff or consultation to a child care facility;

(4) any maker, co-maker, or endorser status for a loan related to a child care facility; or

(5) any financial benefit of a spouse, child, sibling, parent, grandparent or grandchild in any of items (b)(1)--(3).

SECTION 2. This act shall apply to all contracts or grants made, issued or renewed on or after the effective date.

SECTION 3. This act shall take effect on July 1, 2000, the public welfare requiring it.